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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of )

Lloyd Marks et al )

Application No. 10/673,328 )

Filed September 30, 2003 )

For: SIGNAL AVERAGING USING GATING )  
SIGNAL OBTAINED FROM AUTO- )  
CORRELATION OF INPUT SIGNALS )

Examiner: Unassigned

Art Unit: 3737

Atty. Docket No.: 117622-00103

Confirmation No.: 2261

Date: May 4, 2005

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA. 22313

**NOTIFICATION OF PENDING RELATED APPLICATION**

Sir:

The following co-pending application discloses and claims subject matter that is related to the subject matter disclosed and claimed in the present application:

U.S. Patent Application No. 10/392,308, filed March 20, 2003, entitled "Peripheral Impedance Plethysmography Electrode and System With Detection of Electrode Spacing."

Applicants respectfully request that the above-cited related application be considered and made of record in the examination of the present application.

If any outstanding issues can be resolved most quickly through a telephone communication, the Examiner is invited to telephone the undersigned, so that prosecution of the present application may be expedited.

Respectfully submitted,

Lloyd Marks, et al.

By: 

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Llyod Marks, et al.

Serial No: 10/673,328

Filed: September 30, 2003

For: SIGNAL AVERAGING USING GATING SIGNAL OBTAINED FROM AUTOCORRELATION OF INPUT SIGNALS

GAU: 3737

Confirmation No. 2261

Examiner: UNASSIGNED

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant(s) wish to disclose the following information.

**REFERENCES**

- ☒ The applicant(s) wish to make of record the references listed on the attached form PTO/SB/08 (substitute for PTO-1449). Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

**RELATED CASES**

- ☐ Attached is a copy of applicant's pending application(s) or issued patent(s) which may be related to the present application. These documents are listed on form PTO/SB/08 (substitute for PTO-1449), also attached.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

**CERTIFICATION**

- ☐ Each item of information contained in this information disclosure statement was cited for the first time in any communication from a foreign patent office in any counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited for the first time in any communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.
- ☐ This Information Disclosure Statement is being filed within three months of the filing date of the subject patent application.
- ☒ This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits.

**PETITION**

- ☐ Applicant(s) hereby request consideration of the attached information. A check is attached in the amount of the Petition fee required under 37 CFR §1.17(i)(1).

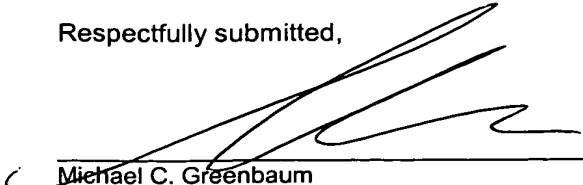
**DEPOSIT ACCOUNT**

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 23-2185. A duplicate copy of this sheet is enclosed.

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